

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

C BLU,

Plaintiff,

v.

CLALLAM COUNTY et al.,

Defendants.

CASE NO. 3:23-cv-06022-DGE

ORDER GRANTING SECOND  
MOTION TO DISMISS FOR LACK  
OF SERVICE (DKT. NO. 16)

Presently before the Court is Defendants' motion to dismiss Plaintiff's complaint for failure to serve the summons and complaint by July 31, 2024, the deadline set by the Court. (Dkt. No. 16.)

Plaintiff initiated this lawsuit on November 7, 2023 by filing a motion for leave to proceed in forma pauperis ("IFP") and a proposed complaint. (Dkt. No. 1.) On March 22, 2024, Defendants filed a motion to dismiss Plaintiff's complaint for lack of service. (Dkt. No. 11.) On May 24, 2024, the Court denied Defendants' motion to dismiss and directed Plaintiff to effect service on Defendants no later than July 31, 2024 or face dismissal without prejudice. (Dkt. No.

14.) The Court issued summons to Defendants on July 24, 2024. (Dkt. No. 15.) However, the Court has not received proof of service, and Defendants assert Plaintiff has not served the summons and complaint on any of the named Defendants, nor has Plaintiff filed, served, or sent an affidavit of service to Defendants or counsel. (Dkt. No. 17 at 1–2.)

Plaintiff did not effect service on Defendants and otherwise has not responded to Defendants’ current motion to dismiss. Accordingly, Defendants’ motion to dismiss for lack of service (Dkt. No. 16) is GRANTED. Plaintiff’s complaint is DISMISSED without prejudice.

Dated this 3rd day of September, 2024.

A handwritten signature in black ink, appearing to be 'D. G. Estudillo', written over a horizontal line.

David G. Estudillo  
United States District Judge